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17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19

20 JOHN ARMSTRONG, et al.,

Case No. C94 2307 CW

21 Plaintiffs,

**[PROPOSED] STIPULATED ORDER  
CONFIRMING UNDISPUTED  
ATTORNEYS' FEES AND COSTS  
FOR THE THIRD QUARTER OF 2020**

22 v.

23 GAVIN NEWSOM, et al.,

Judge: Hon. Claudia Wilken

24 Defendants.

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Case No. C94 2307 CW

[PROPOSED] STIPULATED ORDER CONFIRMING UNDISPUTED ATTORNEYS' FEES AND COSTS FOR THE  
THIRD QUARTER 2020

1       On March 26, 1997, the District Court established procedures by which Plaintiffs  
 2 are to collect periodic attorneys' fees and costs in this case in connection with their work  
 3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4       Pursuant to these procedures, on October 30, 2020, Plaintiffs served on Defendants  
 5 their Third Quarterly Statement for 2020 by electronic transmission. The parties  
 6 completed their meet-and-confer process on January 23, 2021 as to the fees and costs  
 7 incurred on all matters.

8       As a result of the January 23, 2021 agreement, the parties agree to the following:

9       The parties agree to the payment of \$3,000,035.18 to resolve all fees and costs  
 10 incurred during the Third Quarter of 2020, for monitoring and/or litigation activities in the  
 11 California Department of Corrections of Rehabilitation Division of Adult Operations and  
 12 Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are  
 13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
 14 the parties to settle these claims.

15       The parties agree to the payment of \$35,167.81 to resolve all fees and costs incurred  
 16 during the Third Quarter of 2020, for monitoring and/or litigation activities in the Board of  
 17 Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts setting  
 18 forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to  
 19 settle these claims.

20       The parties agree to the payment of \$116,278.13 to resolve all fees and costs  
 21 incurred during the Third Quarter of 2020, for monitoring and/or litigation activities in the  
 22 Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as  
 23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts  
 24 agreed to by the parties to settle these claims.

25       The parties agree to the payment of \$17,771.42 to resolve all fees and costs incurred  
 26 during the Third Quarter of 2020, for fees work. Attached hereto as **Exhibit D** are charts  
 27 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the  
 28 parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and  
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees  
3 and costs will run from November 30, 2020, accruing at the rate provided by 28 U.S.C.  
4 § 1961.

5  
6 DATED: \_\_\_\_\_

7 Claudia Wilken  
8 United States District Judge

9 APPROVED AS TO FORM:

10  
11 DATED: January 26, 2021

/s/Adriano Hrvatin  
12 Adriano Hrvatin  
13 Deputy Attorney General  
14 Attorney for Defendants

15  
16 DATED: January 26, 2021

/s/Gay Crosthwait Grunfeld  
17 Gay Crosthwait Grunfeld  
18 Rosen Bien Galvan & Grunfeld LLP  
19 Attorney for Plaintiffs

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# **EXHIBIT A**

**Armstrong v. Newsom**  
**Third Quarterly Statement of 2020**  
**July 1, 2020 through September 30, 2020**

**CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
CDCR/AOAP MONITORING	\$2,960,150.01	\$39,885.17
<b>TOTAL UNDISPUTED:</b>		<b>\$3,000,035.18</b>

**Armstrong v. Newsom**  
 Third Quarterly Statement of 2020  
 July 1, 2020 through September 30, 2020  
**Matter: CDCR/AOAP Monitoring/Merits**

<b><u>Monitoring (581-3)</u></b>	<b>Actual Hours</b>	<b>Claimed Hours</b>	<b>2020 Rates</b>	<b>Total</b>	<b>Fees Now Owing Based On Negotiated Compromise</b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	75.40	72.50	\$1,100	\$79,750.00	\$74,167.50
Gay C. Grunfeld (GCG)	423.10	422.70	\$875	\$369,862.50	\$343,972.13
Ernest Galvan (EG)	30.2	29.2	\$825	\$24,090.00	\$22,403.70
Lisa Ells (LAE)	1.00	0.00	\$730	\$0.00	\$0.00
Penny Godbold (PG)	401.20	400.50	\$715	\$286,357.50	\$266,312.48
Thomas Nolan (TN)	300.10	290.50	\$740	\$214,970.00	\$199,922.10
Michael L. Freedman (MLF)	512.20	504.50	\$635	\$320,357.50	\$297,932.48
Ben Bien-Kahn (BBK)	191.50	179.90	\$625	\$112,437.50	\$104,566.88
Jenny Yelin (JY)	23.60	21.10	\$565	\$11,921.50	\$11,087.00
Caroline E. Jackson (CEJ)	152.50	150.40	\$540	\$81,216.00	\$75,530.88
Michael S. Nunez (MSN)	50.50	35.70	\$540	\$19,278.00	\$17,928.54
Jessica Winter (JW)	39.50	34.30	\$480	\$16,464.00	\$15,311.52
Alexander Gourse (AG)	4.10	0.00	\$395	\$0.00	\$0.00
Rekha Arulanantham (REA)	205.40	155.50	\$395	\$61,422.50	\$57,122.93
Karen Stilber (KES)	302.40	297.30	\$350	\$104,055.00	\$96,771.15
Linda Woo (LHW)	3.20	0.00	\$350	\$0.00	\$0.00
F. Gail LaPurja (FGL)	16.10	0.00	\$320	\$0.00	\$0.00
Greg Gonzalez (GZG)	13.00	10.50	\$320	\$3,360.00	\$3,124.80
Fely F. Villadelgado (FFV)	2.40	0.00	\$275	\$0.00	\$0.00
Emma Cook (EC)	79.60	78.60	\$250	\$19,650.00	\$18,274.50
Nathalie Welch (NW)	29.70	26.80	\$250	\$6,700.00	\$6,231.00
Jack Gleiberman (JG)	592.50	589.80	\$250	\$147,450.00	\$137,128.50
Ellinor Heywood (EH)	521.20	511.10	\$250	\$127,775.00	\$118,830.75
Heather Gans (HG)	247.30	226.00	\$250	\$56,500.00	\$52,545.00
Catherine Johnson (CJ)	25.20	24.40	\$225	\$5,490.00	\$5,105.70
Rebecca Berman (RB)	75.60	56.40	\$225	\$12,690.00	\$11,801.70
Rwehyang Kim (RK)	305.40	265.90	\$225	\$59,827.50	\$55,639.58
Ericka Zheng (EZ)	62.50	57.40	\$225	\$12,915.00	\$12,010.95
<b>Total Hours:</b>	<b>4,686.40</b>	<b>4,441.00</b>		<b>\$2,154,539.50</b>	<b>\$2,003,721.74</b>
<b>RBGG FEES:</b>					
<b>PRISON LAW OFFICE</b>					
Donald Specter (DS)	29.00	29.00	\$995	\$28,855.00	\$26,835.15
Alison Hardy (AH)	3.70	3.70	\$830	\$3,071.00	\$2,856.03
Sara Norman (SN)	8.70	8.70	\$820	\$7,134.00	\$6,634.62
Corene Kendrick (CK)	155.90	155.90	\$730	\$113,807.00	\$105,840.51
Rita Lomio (RL)	487.20	487.20	\$650	\$316,680.00	\$294,512.40
Margot Mendelson (MM)	254.30	254.30	\$625	\$158,937.50	\$147,811.88
Rana Anabtawi (RA)	2.40	2.40	\$625	\$1,500.00	\$1,395.00
Patrick Booth (PB)	231.00	231.00	\$380	\$87,780.00	\$81,635.40
Sophie J. Hart (SH)	1.20	1.20	\$380	\$456.00	\$424.08
Amber Norris (AN)	215.90	215.90	\$350	\$75,565.00	\$70,275.45
Megan Lynch (ML)	58.50	58.50	\$350	\$20,475.00	\$19,041.75
Tovah Anna Ackerman (TAA)	43.20	43.20	\$325	\$14,040.00	\$13,057.20
Tania Amarillas (TA)	198.80	198.80	\$325	\$64,610.00	\$60,087.30
Eva Amarillas-Diaz (EAD)	24.10	24.10	\$275	\$6,627.50	\$6,163.58
Alayna O'Bryan	3.00	3.00	\$275	\$825.00	\$767.25
Skye Lovett (SL)	192.50	192.50	\$275	\$52,937.50	\$49,231.88
Gabriela Pelsinger (GP)	91.60	91.60	\$275	\$25,190.00	\$23,426.70
Hector Perla (HP)	30.60	30.60	\$275	\$8,415.00	\$7,825.95
Ilian Meza Pena (IP)	44.60	44.60	\$275	\$12,265.00	\$11,406.45
Jordan Payne (JP)	19.80	19.80	\$275	\$5,445.00	\$5,063.85
Juliette Mueller (JM)	49.90	49.90	\$275	\$13,722.50	\$12,761.93
Michael Brodheim (MB)	27.80	27.80	\$275	\$7,645.00	\$7,109.85
<b>Total Hours:</b>	<b>2,173.70</b>	<b>2,173.70</b>			
<b>PLO FEES:</b>					
<b>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</b>					
Linda Kilb (LK)	2.10	2.10	\$885	\$1,858.50	\$1,728.41
Case Clerk	3.20	3.20	\$180	\$576.00	\$535.68
<b>Total Hours:</b>	<b>5.30</b>	<b>5.30</b>			
<b>DREDF FEES:</b>					
<b>TOTAL CDCR/AOAP MONITORING FEES:</b>					
				<b>\$3,182,957.00</b>	<b>\$2,960,150.01</b>

**Armstrong v. Newsom**

Third Quarterly Statement of 2020  
 July 1, 2020 through September 30, 2020  
**Costs**

***Matter: CDCR/AOAP Merits/Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-3)**

	<b>Costs</b>	<b>Costs Now Owing Based On Negotiated Compromise</b>
Photocopying (In house)	\$1,592.00	\$1,480.56
Photocopying/printing (Outside)	\$3,005.83	\$2,795.42
Discovery service Relativity hosting and processing (RJD production database - July - September)	\$9,356.25	\$8,701.31
Professional services - expert witness fees	\$15,968.28	\$14,850.50
Transcription and translation	\$2,176.15	\$2,023.82
Online Research - PACER, Westlaw	\$3,103.52	\$2,886.27
Process server (subpoenas)	\$318.00	\$295.74
Postage & Delivery	\$1,145.27	\$1,065.10
Telephone	\$39.90	\$37.11
<b>Total RBGG Costs:</b>	<b>\$36,705.20</b>	<b>\$34,135.84</b>

**Prison Law Office**

Interpreting/Translation services	\$2,550.00	\$2,371.50
Postage & Delivery	\$3,427.60	\$3,187.67
<b>Total PLO Costs:</b>	<b>\$5,977.60</b>	<b>\$5,559.17</b>

**Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)	\$157.00	\$146.01
Postage & Delivery	\$47.48	\$44.16
<b>Total DREDF Costs:</b>	<b>\$204.48</b>	<b>\$190.17</b>

**TOTAL CDCR/AOAP MERITS/MONITORING COSTS:** **\$42,887.28** **\$39,885.17**

# **EXHIBIT B**

**Armstrong v. Newsom**  
Third Quarterly Statement of 2020  
July 1, 2020 through September 30, 2020

**BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
BPH	\$35,143.31	\$24.51
<b>TOTAL UNDISPUTED:</b>		<b>\$35,167.81</b>

**Armstrong v. Newsom**

Third Quarterly Statement of 2020  
 July 1, 2020 through September 30, 2020  
**Matter: BPH**

<b><u>BPH (581-4)</u></b>	<b><u>Actual Hours</u></b>	<b><u>Claimed Hours</u></b>	<b><u>2020 Rates</u></b>	<b><u>Total</u></b>	<b><u>Fees Now Owing Based On Negotiated Compromise</u></b>
<b><u>BPH MONITORING (581-4)</u></b>					
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	0.4	0.4	\$875	\$350.00	\$325.50
Thomas Nolan (TN)	20.90	20.90	\$740	\$15,466.00	\$14,383.38
Caroline E. Jackson (CEJ)	10.30	10.30	\$540	\$5,562.00	\$5,172.66
Rekha Arunlanatham	4.50	4.20	\$395	\$1,659.00	\$1,542.87
Ellinor Heywood (EH)	1.30	0.00	\$250	\$0.00	\$0.00
Rwehyang Kim (RK)	2.30	0.00	\$225	\$0.00	\$0.00
Heather Gans (HG)	7.70	7.70	\$250	\$1,925.00	\$1,790.25
<b>Total Hours:</b>	<b>47.40</b>	<b>43.50</b>			
<b>RBGG FEES:</b>				<b>\$24,962.00</b>	<b>\$23,214.66</b>
<b><u>PRISON LAW OFFICE</u></b>					
Sara Norman (SN)	4.20	4.20	\$820	\$3,444.00	\$3,202.92
Rita Lomio (RL)	0.30	0.30	\$650	\$195.00	\$181.35
Rana Anabtawi (RA)	14.70	14.70	\$625	\$9,187.50	\$8,544.38
<b>Total Hours:</b>	<b>19.20</b>	<b>19.20</b>			
<b>PLO FEES:</b>				<b>\$12,826.50</b>	<b>\$11,928.65</b>
<b>TOTAL FEES FOR BPH WORK:</b>				<b>\$37,788.50</b>	<b>\$35,143.31</b>

**Armstrong v. Newsom**

Third Quarterly Statement of 2020  
July 1, 2020 through September 30, 2020  
**Costs**

***Matter: BPH***

**Rosen, Bien, Galvan & Grunfeld (581-4)**

Postage and delivery

	<b>Costs</b>	<b>Costs Now Owing Based On <u>Negotiated Compromise</u></b>
Postage and delivery	\$26.35	\$24.51
<b>Total RBGG Costs:</b>	<b>\$26.35</b>	<b>\$24.51</b>
<b>TOTAL CLAIMED BPH COSTS:</b>	<b>\$26.35</b>	<b>\$24.51</b>

# **EXHIBIT C**

**Armstrong v. Newsom**  
Third Quarterly Statement of 2020  
July 1, 2020 through September 30, 2020

**DAPO SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COST</u></b>
DAPO MONITORING	\$115,302.33	\$975.80
<b>TOTAL UNDISPUTED:</b>		<b>\$116,278.13</b>

**Armstrong v. Newsom**

Third Quarterly Statement of 2020  
 July 1, 2020 through September 30, 2020  
**Matter: DAPO Monitoring**

<b><u>DAPO Monitoring (581-9)</u></b>	<b>Actual <u>Hours</u></b>	<b>Claimed <u>Hours</u></b>	<b>2020 <u>Rates</u></b>	<b>Total</b>	<b>Fees Now Owing Based On <u>Negotiated Compromise</u></b>
<b>ROSEN, BIEN, GALVAN &amp; GRUNFELD</b>					
Michael W. Bien (MWB)	0.70	0.70	\$1,100	\$770.00	\$716.10
Gay C. Grunfeld (GCG)	6.20	6.20	\$875	\$5,425.00	\$5,045.25
Penny Godbold (PG)	0.20	0.00	\$715	\$0.00	\$0.00
Thomas Nolan (TN)	22.40	22.40	\$740	\$16,576.00	\$15,415.68
Michael L. Freedman (MLF)	0.20	0.00	\$635	\$0.00	\$0.00
Benjamin Bien-Kahn (BBK)	13.80	12.90	\$625	\$8,062.50	\$7,498.13
Jenny S. Yelin (JSY)	20.90	20.40	\$565	\$11,526.00	\$10,719.18
Caroline E. Jackson (CEJ)	19.70	19.50	\$540	\$10,530.00	\$9,792.90
Rekha Arulanantham (REA)	46.70	37.70	\$395	\$14,891.50	\$13,849.10
Karen Stilber (KES)	1.80	0.00	\$350	\$0.00	\$0.00
Gregorio Gonzalez (GZG)	0.30	0.00	\$320	\$0.00	\$0.00
Nathalie Welch (NCW)	242.90	224.80	\$250	\$56,200.00	\$52,266.00
Ellinor Heywood (EH)	2.10	0.00	\$250	\$0.00	\$0.00
Rebecca Berman (RB)	0.60	0.00	\$225	\$0.00	\$0.00
Rwehyang Kim (RK)	2.50	0.00	\$225	\$0.00	\$0.00
<b>Total Hours:</b>	<b>381.00</b>	<b>344.60</b>		<b>\$123,981.00</b>	<b>\$115,302.33</b>
<b>RBGG FEES:</b>					
<b>TOTAL FEES FOR DAPO MONITORING WORK:</b>				<b>\$123,981.00</b>	<b>\$115,302.33</b>

**Armstrong v. Newsom**

Third Quarterly Statement of 2020  
July 1, 2020 through September 30, 2020  
**Costs**

***Matter: DAPO Monitoring***

**Rosen, Bien, Galvan & Grunfeld (581-9)**

	<b>Costs</b>	<b>Costs Now Owing Based On Negotiated Compromise</b>
Photocopying (in-house)	\$568.80	\$528.98
Postage	\$480.45	\$446.82
<b>Total RBGG Costs:</b>	<b>\$1,049.25</b>	<b>\$975.80</b>
<b>TOTAL DAPO MONITORING COSTS:</b>	<b>\$1,049.25</b>	<b>\$975.80</b>

# **EXHIBIT D**

**Armstrong v. Newsom**  
**Third Quarterly Statement of 2020**  
**July 1, 2020 through September 30, 2020**

**SUMMARY OF UNDISPUTED FEES WORK AND COSTS**

	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$17,719.76	\$51.66
<b>TOTAL UNDISPUTED:</b>	<b>\$17,771.42</b>	

**Armstrong v. Newsom**

Third Quarterly Statement of 2020  
 July 1, 2020 through September 30, 2020  
**Matter: All Matters Fees Work**

<b><u>Fees (581-2)</u></b>	<b>Actual <u>Hours</u></b>	<b>Claimed <u>Hours</u></b>	<b>2020 <u>Rates</u></b>	<b>Total</b>	<b>Fees Now Owing Based On <u>Negotiated Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	11.80	11.50	\$875	\$10,062.50	\$9,358.13
Karen E. Stilber (KES)	14.60	14.60	\$350	\$5,110.00	\$4,752.30
Nathalie Welch (NW)	0.20	0.00	\$250	\$0.00	\$0.00
<b>Total Hours:</b>	<b>26.60</b>	<b>26.10</b>		<b>\$15,172.50</b>	<b>\$14,110.43</b>
<b>RBGG FEES:</b>					
<b><u>PRISON LAW OFFICE</u></b>					
Rita Lomio	2.00	2.00	\$650	\$1,300.00	\$1,209.00
Margot Mendelson (MKM)	0.70	0.70	\$625	\$437.50	\$406.88
Ashley Kirby (AK)	5.20	5.20	\$225	\$1,170.00	\$1,088.10
<b>Total Hours:</b>	<b>7.90</b>	<b>7.90</b>		<b>\$2,907.50</b>	<b>\$2,703.98</b>
<b>PLO FEES:</b>					
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LDK)	1.10	1.10	\$885	\$973.50	\$905.36
<b>Total Hours:</b>	<b>1.10</b>	<b>1.10</b>		<b>\$973.50</b>	<b>\$905.36</b>
<b>DREDF FEES:</b>					
<b>TOTAL FEES FOR ARMSTRONG FEES WORK:</b>				<b>\$19,053.50</b>	<b>\$17,719.76</b>

**Armstrong v. Newsom**

Third Quarterly Statement of 2020  
 July 1, 2020 through September 30, 2020  
**Costs**

***Matter: Fees Work in All Matters*****Rosen, Bien, Galvan & Grunfeld (581-2)**

	<b>Costs</b>	<b>Costs Now Owing Based On Negotiated Compromise</b>
Photocopying and Printing (in-house)	\$25.00	\$23.25
Long distance telephone	\$0.05	\$0.05
Postage & Delivery	\$30.50	\$28.37
<b>Total RBGG Costs:</b>	<b>\$55.55</b>	<b>\$51.66</b>

<b>TOTAL FEES WORK COSTS :</b>	<b>\$55.55</b>	<b>\$51.66</b>
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